



*United States Attorney
Southern District of New York*

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PRESS RELEASE

MARY JO WHITE, the United States Attorney for the Southern District of New York, announced that FRANCIS X. LIVOTI was convicted today by a Manhattan federal jury for violating the civil rights of Anthony Baez.

According to the one-count Indictment and the evidence at trial, on December 22, 1994, LIVOTI, while acting under color of the laws of the State of New York as a New York City Police Officer, willfully assaulted Anthony Baez, resulting in bodily injury to Mr. Baez, and thereby willfully deprived Mr. Baez of the right to be secure in his person and free from the use of unreasonable force by one making an arrest under color of law.

In October 1996, following a bench trial in New York State Supreme Court, LIVOTI was found not guilty of criminally negligent homicide in the death of Anthony Baez.

Ms. WHITE stated: "We are gratified that the jury in

this case has vindicated the fundamental principle of our criminal justice system that law enforcement officials may not violate the civil rights of the citizens they are sworn to protect. The jury's verdict finally addresses the grievous injustice suffered by Anthony Baez and his family that tragic night of December 22, 1994."

Ms. WHITE also stated: "The jury's verdict in this case is particularly important. First, it shows that police officers who commit acts of brutality can be prosecuted and convicted even, as the Government stated in its summation, when other officers fabricate testimony or cover up the truth. Second, it should remind us that police officers who have a history of using excessive force must be dealt with before -- and not after -- tragedy strikes."

LIVOTI faces a maximum sentence of 10 years in prison and a \$250,000 fine.

United States District Judge SHIRA A. SCHEINDLIN set sentencing for September 24, 1998, in Manhattan federal court.

Assistant United States Attorneys MARK F. POMERANTZ, ANDREW S. DEMBER and SERENE K. NAKANO are in charge of the prosecution.

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